

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

EDITH MUÑOZ : CIVIL ACTION  
: :  
v. : :  
: :  
NUTRISYSTEM, INC. : No. 13-4416

**ORDER**

AND NOW, this 30th day of July, 2014, upon consideration of Defendant's Motion for Summary Judgment (Doc. 21), Plaintiff's Response (Doc. 29), and Defendant's Reply (Doc. 31), and having held oral argument on the motion, it is hereby **ORDERED** that the Motion (Doc. 21) is **GRANTED** in part and **DENIED** in part, as follows:

1. The Motion is **GRANTED** with respect to Plaintiff's claims of discrimination and retaliation pursuant to the ADA and PHRA, and of retaliation pursuant to the FMLA.
2. The Motion is **DENIED** with respect to Plaintiff's claims for failure to accommodate pursuant to the ADA and for FMLA interference.

It is further **ORDERED** that a teleconference with chambers is scheduled for **Friday, August 1 at 2:00 p.m.** to select a trial date. Plaintiff's counsel shall coordinate the call; when both parties are on the line, counsel may dial chambers at 267-299-7690.

BY THE COURT:

/s/ L. Felipe Restrepo  
L. FELIPE RESTREPO  
UNITED STATES DISTRICT JUDGE